

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Stanley Keith Miyabara,

Plaintiff

v.

Roy Garcia, et al.,

Defendants

Case No.: 2:20-cv-01893-JAD-EJY

**Order Adopting Report and
Recommendation**

[ECF No. 4]

Plaintiff Stanley Keith Miyabara filed nearly 300 pages of initiating documents with the Clerk of this Court in an attempt to commence a civil action. The magistrate judge has reviewed those documents and concluded that they fail to provide any coherent factual basis for his claim, contain frivolous stream-of-consciousness allegations about terroristic threats and statements about unrelated entities and matters, and are at least partially duplicative, making it difficult for any defendant to fairly respond.¹ She concludes that these filings violate Federal Rule of Civil Procedure 8, and she recommends that those initiating documents be dismissed without prejudice.² Objections to that recommendation were due by December 2, 2020, and Miyabara neither objected nor moved to extend that deadline. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”³ IT IS THEREFORE ORDERED that the Report and Recommendation [ECF No. 4] is **ADOPTED**. Plaintiff’s initiating documents [ECF Nos. 1-1 through 1-17] are **DISMISSED** without prejudice.

Plaintiff is reminded that, per ECF No. 4, he **has until December 18, 2020, to file a proper complaint** of no more than 30 pages in compliance with the magistrate judge’s

¹ ECF No. 4 at 2.

² *Id.*

³ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 instructions. If he fails to do so, this action may be dismissed with prejudice and without further
2 prior warning.

3 Dated: December 9, 2020

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5 U.S. District Judge Jennifer A. Dorsey
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